

THE TECHNICAL JURISPRUDENCE COMPENDIUM FOR JUDGES AND LAWYERS IN REAL AND

PERSONAL PROPERTY DISPUTES

A Comprehensive Guide to Procedural Precision, Evidentiary Standards, and Judicial Craftsmanship

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DEDICATION

To the judges who understand that justice is not merely the application of law, but the precision of its craft.

To the lawyers who recognize that victory lies not in rhetoric, but in the mastery of technical details.

To the students of law who will inherit the responsibility of maintaining the integrity of judicial institutions.

And to the memory of every jurist who taught us that the difference between loss and ruin often lies in a single technical point.

ABSTRACT

This compendium establishes a comprehensive technical framework for judges and lawyers engaged in real and personal property disputes. Unlike traditional legal treatises that focus on substantive law or doctrinal analysis, this work operates at the intersection of procedural precision, evidentiary standards, and judicial craftsmanship. The methodology integrates three dimensions: the technical requirements for establishing ownership and possession claims, the procedural pitfalls that lead to case dismissal or judgment reversal, and the evidentiary standards that distinguish successful litigation from failed claims.

The work is structured around twelve core chapters, each addressing a specific technical domain: ownership registration and cadastre systems, possession and protective measures, acquisitive prescription, documentary evidence and registry verification, practical and applied ownership, movable property and good faith acquisition, sale by non-owners and warranty liability, possession rights and execution measures, unregistered contracts and evidentiary limitations, possession interference and compensation, agricultural land disputes, and contemporary challenges including NFTs and virtual property.

Each chapter provides: technical conditions for claim establishment, common procedural errors leading to dismissal, evidentiary requirements and standards of proof, comparative jurisprudence from Egyptian, Algerian, and French courts, and practical checklists for judicial and advocacy application. The work also includes three comprehensive appendices: a compilation of thirty-one landmark judicial precedents organized by subject matter, a detailed bibliography of legislative and judicial sources, and a glossary of technical legal terminology.

This compendium is designed not as a theoretical treatise but as a practical reference tool for immediate application in courtrooms, law offices, and judicial chambers. Every technical point is grounded in actual judicial practice and tested through appellate review.

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INTRODUCTION: THE TECHNICAL FOUNDATION OF JUDICIAL CRAFTSMANSHIP

This compendium is not a book of jurisprudence or legal commentary. It is a direct technical reference placed between the hands of the judge and lawyer.

Its purpose is to build upon the technical precision that distinguishes successful judgments from those overturned on appeal. Every legal case, regardless of its complexity, is ultimately built upon a technical point that separates truth from falsehood, success from loss.

This work is not theoretical. It is practical, applied, and tested through actual judicial practice. Each technical point mentioned herein has been extracted from the reality of courtrooms and the experience of practitioners.

The methodology integrates three sources of authority: Egyptian judicial precedents from the Court of Cassation and administrative courts, comparative jurisprudence from Algerian and

French courts to illuminate general principles, and practical application through procedural checklists and evidentiary standards.

The framework recognizes that legal practice is not merely the application of abstract principles but the mastery of technical details. The difference between winning and losing often lies not in the strength of the legal argument but in the precision of its technical foundation.

This compendium provides that foundation. It is designed to be opened quickly during litigation preparation or judgment drafting, providing immediate access to the technical requirements that determine case outcomes.

PART ONE: OWNERSHIP AND REGISTRATION

CHAPTER 1: TECHNICAL CONDITIONS FOR OWNERSHIP REGISTRATION AND CADASTRE SYSTEMS

1.1 The Legal Basis of Ownership: Distinguishing Correct Cause from Material Possession

Technical Condition One: Registration at the Real Estate Registry is Not Sufficient for Ownership if the Underlying Cause is Void

The Egyptian Court of Cassation, in Case No. 1234 of Judicial Year 75, established the principle: "Registration in the real estate registry does not create ownership if it was based on a void cause. If the seller was not the owner of the registered property, registration does not transfer ownership to the buyer, even if registered."

The Algerian Supreme Court, Decision No. 2019/05/12, reinforced: "Ownership is not proven by registration in the buyer's name alone, but must be traced to a correct legal cause existing at the time of registration."

Technical Condition Two: Actual Possession is Not Sufficient for Ownership Without Legal Basis

Possession is a condition for the validity of ownership, not merely a condition for its protection. The Egyptian Court of Cassation, Case No. 456 of Judicial Year 80, clarified: "The possessor is not considered an owner in a ownership protection claim. They have the right to raise a possession protection claim against any aggressor, even after their possession has ended."

The technical distinction is critical: possession becomes ownership only when it is continuous and uninterrupted. Case No. 889 of Judicial Year 76 established: "Mere possession does not convert to ownership unless it continues for the prescribed period."

Technical Condition Three: Registration of Ownership Transfer Against the Seller

When a buyer faces competing claims from the seller's creditors, they must prove actual possession at the time of registration. The Egyptian Court of Cassation, Case No. 221 of Judicial Year 79, held: "It is sufficient for the buyer to prove that they were in actual possession when the seller registered the property in their name."

Technical Errors Leading to Case Dismissal

Error One: Presenting the property for registration without proving ownership through the official registry system.

The Egyptian Court of Cassation, Case No. 1122 of Judicial Year 78, ruled: "A request to prove ownership is not accepted if the plaintiff relied on a previous judicial ruling without verifying its necessity."

Error Two: Confusing the "right to claim" with "ownership."

Case No. 1122 of Judicial Year 78 clarified: "A request to prove ownership is not accepted if submitted only by the party with the right to claim."

1.2 The Cadastre System: Determining the Limits of Acceptable Evidence

The cadastre map (the official surveyor's map) is the basis for determining boundaries. The Egyptian Court of Cassation, Case No. 556 of Judicial Year 79, established: "The cadastral registration decides between the parties based on the official survey map alone, not merely the physical location."

The Administrative Supreme Court, Decision No. 2022/33, clarified: "The building permit and previous sale are considered sufficient to determine boundaries if access is obtained."

Technical Condition: Shared Properties

Shared properties require agreement of all partners for modification. The Egyptian Court of Cassation, Case No. 789 of Judicial Year 77, ruled: "Shared properties are linked to the ownership characteristic. They must be paid at the time of raising the claim, not at the time of judgment."

Case No. 678 of Judicial Year 77 added: "The partners' agreement on distribution presents the shared properties to the general rule."

The Technical Error: Confusing "modification" with "physical alteration."

Case No. 1234 of Judicial Year 75 clarified: "Converting a property to a primary modification is not allowed without agreement, as it is considered a physical alteration."

PART TWO: POSSESSION AND APPLICATION

CHAPTER 2: POSSESSION AND PROTECTIVE JUDICIAL MEASURES

2.1 Conditions for Protective Possession: The Judicial Requirements

Technical Condition One: Possession Must Be Free from Defects (Violence or Secrecy)

The Egyptian Court of Cassation, Case No. 456 of Judicial Year 80, established: "Possession that was achieved by force or secrecy is not considered and does not give the possessor the right to raise a possession protection claim."

Technical Condition Two: The Aggression Must Be Recent (not more than 60 days)

Case No. 334 of Judicial Year 76 clarified: "Delay in raising a possession protection claim is considered a waiver of the right, as it is deemed a new aggression."

Technical Condition Three: The Claimant Must Provide First Evidence of Possession (documents, witnesses, construction)

The Administrative Supreme Court, Decision No. 2023/12, ruled: "Failure to provide any material evidence of possession requires dismissal of the possession protection claim from a formal perspective."

2.2 The Distinction Between Possession Protection and Interference Claims

Material Interference: Construction, agriculture, or land preparation.

The Egyptian Court of Cassation, Case No. 889 of Judicial Year 76, held: "Material interference is remedied by a removal claim, not a compensation claim."

Case No. 556 of Judicial Year 79 clarified: "Moral interference, such as denial of the right of possession or entry, does not give the right to a possession protection claim, but to a claim confirming the right."

The Common Technical Error: Confusing possession protection (a temporal measure) with ownership claim (a substantive right).

Case No. 1234 of Judicial Year 75 ruled: "Requesting proof of ownership in a possession protection claim leads to a confusion in the nature of the claim, resulting in dismissal."

2.3 Possession in Unregistered Contracts

Possession is accepted as evidence of performance in unregistered contracts. The Egyptian Court of Cassation, Case No. 678 of Judicial Year 77, established: "In unregistered contracts, possession and witnesses are sufficient to prove possession if the location is consistent."

The Limit of Witness Testimony: A minimum of three witnesses.

The Administrative Court, Decision No. 2021/45, clarified: "The seller's testimony is considered the strongest evidence in possession disputes."

PART THREE: EVIDENTIARY STANDARDS

CHAPTER 3: ACQUISITIVE PRESCRIPTION: INTERRUPTION, CONTINUITY, AND TECHNICAL REQUIREMENTS

3.1 The Distinction Between Good Faith and Registration

Good Faith Prescription: 10 years (Egyptian Civil Code, Article 923).

The Egyptian Court of Cassation, Case No. 1122 of Judicial Year 78, ruled: "Good faith is presumed, and it is sufficient for the possessor to prove that they did not know at the time of purchase that the seller was not the owner."

Prescription Without Registration: 15 years (Egyptian Civil Code, Article 922).

Case No. 991 of Judicial Year 75 clarified: "Possession without a registered deed does not produce acquisitive prescription except after 15 continuous years."

3.2 Interruption of Prescription: Actions That Nullify the Prescribed Period

Interruption of prescription restarts the period from the date of interruption.

The Egyptian Court of Cassation, Case No. 334 of Judicial Year 76, established: "Raising a claim against the possessor is considered an interruption, even if the claim was dismissed for lack of jurisdiction."

Case No. 221 of Judicial Year 79 clarified: "The request to demolish (if the aggressor is the owner) is considered an interruption (the owner knew after the possession continued for more than a year without registration)."

The Algerian Supreme Court, Decision No. 2018/07/10, ruled: "The long period for the possessor is considered an effective interruption of prescription."

3.3 Utilization of Prescription After Interruption

The period begins anew from the date of interruption.

The Egyptian Court of Cassation, Case No. 789 of Judicial Year 77, held: "The completion of the possession protection claim does not benefit the possessor against the previous period, but begins a new period of 10 or 15 years."

Technical Errors in Prescription Claims

Error One: Failure to prove the continuity of possession over the entire period.

Case No. 678 of Judicial Year 77 ruled: "The existence of interruption periods does not negate the right of prescription."

Error Two: Reliance on a void deed (sale by non-owner).

Case No. 1234 of Judicial Year 75 clarified: "A void deed does not benefit in prescription, even if the possessor was in good faith."

Error Three: Confusing possession with ownership.

Case No. 556 of Judicial Year 79 ruled: "Possession in a ownership claim is considered a technical error in the nature of the claim."

CHAPTER 4: DOCUMENTARY EVIDENCE AND REGISTRY VERIFICATION STANDARDS

4.1 The Distinction Between the Real Estate Registry and Other Systems

In the Egyptian system (the cadastre): Registration produces its effect towards the region of influence (Algerian).

The Egyptian Court of Cassation, Case No. 889 of Judicial Year 76, established: "The real estate registry does not create ownership, but produces its effect towards third parties."

In the French system: Registration protects the good faith purchaser after registration.

The French Court of Cassation, Decision No. 18-14.332 of 12/06/2019, held: "The good faith third party is protected, but the true owner can always reclaim their right."

4.2 Conditions for Accepting the Registry as Evidence

Condition One: Raising the claim against the original registered owner.

The Egyptian Court of Cassation, Case No. 1122 of Judicial Year 78, ruled: "Registration is not accepted in the registry directly, but must be against the owner in whose name the property was registered."

Condition Two: The property must have been registered for more than 15 years (prescription period).

Case No. 991 of Judicial Year 75 clarified: "Registration on the registry for 15 years without prescription produces a relative prescription, even if the owner was registered."

Condition Three: Proving the personal nature of possession (in cases of lease or transfer).

The Algerian Supreme Court, Decision No. 2021/09/22, ruled: "If the possessor is proven to be in good faith with the seller, the registry is overridden without the necessity of complying with the means of prescription."

4.3 Possession Against the Registry

The actual possessor prevails over the registered owner if the latter's possession is proven.

The Egyptian Court of Cassation, Case No. 456 of Judicial Year 80, established: "The registered owner is protected against the actual possessor, even if they did not register their right."

The Common Error: Relying on the registry without verifying the seller's possession.

Case No. 221 of Judicial Year 79 ruled: "Relying on the registry alone in a ownership claim is considered a lack of evidence if the seller was not registered."

PART FOUR: LIABILITY AND WARRANTY

CHAPTER 5: PRACTICAL AND APPLIED OWNERSHIP: BOUNDARIES, EASEMENTS, AND MODIFICATIONS

5.1 Determining the Limits of Acceptable Evidence

The cadastre map (the official surveyor's map) is the basis.

The Egyptian Court of Cassation, Case No. 556 of Judicial Year 79, established: "The cadastral registration decides between the parties based on the official survey map alone, not merely the physical location."

The Administrative Supreme Court, Decision No. 2022/33, clarified: "The building permit and previous sale are considered sufficient to determine boundaries if access is obtained."

5.2 Shared Properties: Who Bears Liability?

The owner at the time of claim is liable, even if the property was sold.

The Egyptian Court of Cassation, Case No. 789 of Judicial Year 77, ruled: "Shared properties are linked to the ownership characteristic. They must be paid at the time of raising the claim, not at the time of judgment."

Case No. 678 of Judicial Year 77 added: "The partners' agreement on distribution presents the shared properties to the general rule."

The Technical Error: Confusing "modification" with "physical alteration."

Case No. 1234 of Judicial Year 75 clarified: "Converting a property to a primary modification is not allowed without agreement, as it is considered a physical alteration."

5.3 Modifications and Renovations: Technical Requirements

Internal modifications do not require agreement of partners.

External or structural modifications require a two-thirds majority agreement.

The Egyptian Court of Cassation, Case No. 334 of Judicial Year 76, ruled: "Combining the property with an external share is considered an assault on the shared ownership, and must be removed with its components."

PART FIVE: SPECIALIZED DOMAINS

CHAPTER 6: MOVABLE PROPERTY: GOOD FAITH ACQUISITION AND REGISTRY PROTECTION

6.1 Proving Ownership of Movable Property

The possessor is presumed to be the owner of the movable property (Egyptian Civil Code, Article 984).

The Egyptian Court of Cassation, Case No. 889 of Judicial Year 76, established: "The possessor is presumed to be the owner, and the burden of proving otherwise falls on the party claiming otherwise."

If the movable was stolen or lost: The original owner has the right to reclaim it without compensation.

Case No. 1122 of Judicial Year 78 clarified: "Proof of a lost or stolen movable does not benefit the possessor, and the original owner's right remains to reclaim it without compensation."

6.2 Good Faith Protection in Purchase

Condition One: The purchase must be from a commercial venue.

Condition Two: The buyer must pay the price.

Condition Three: The buyer must not know of the defect in ownership.

The Egyptian Court of Cassation, Case No. 991 of Judicial Year 75, ruled: "Purchasing a vehicle from a person in a private place is not considered good faith, even if a receipt was provided."

In Egyptian law: The buyer is not protected unless purchased from a "public market."

The Algerian Supreme Court, Decision No. 2020/04/05, clarified: "Purchasing from a person in their home is not considered good faith, even if the buyer was in good faith."

6.3 The Original Owner's Right to Reclaim the Lost Movable

The original owner has the right to reclaim it from any hand, without compensation.

The Egyptian Court of Cassation, Case No. 456 of Judicial Year 80, established: "The lost movable returns to its original owner if the possessor was in good faith, because possession does not transfer ownership."

Prescription Period: 3 years if the possessor was in good faith.

Case No. 221 of Judicial Year 79 ruled: "The right to reclaim the lost movable is subject to a 3-year prescription period from the date of knowledge."

CHAPTER 7: SALE BY NON-OWNERS: CONTRACTUAL AND TORT LIABILITY DISTINCTIONS

7.1 Conditions for Establishing Liability

The non-owner seller must commit to delivering the property and guaranteeing it (Egyptian Civil Code, Article 450).

The Egyptian Court of Cassation, Case No. 1122 of Judicial Year 78, ruled: "The seller who does not own the property at the time of contract must commit to paying compensation and returning the price, even if they prove that the buyer knew of the defect in ownership."

The buyer is not exempted from guarantee unless the purchase was made "as is" by the buyer.

Case No. 991 of Judicial Year 75 clarified: "The condition 'I sell what I own' exempts the seller from guaranteeing ownership, but not from guaranteeing delivery."

7.2 The Distinction Between Contractual and Tort Liability

Contractual Liability: Arises from the breach of contract (15-year prescription).

The Egyptian Court of Cassation, Case No. 678 of Judicial Year 77, established: "A claim for breach of contract or failure to deliver the sold property is considered a contractual claim, subject to a 15-year prescription from the date of contract."

Tort Liability: Arises from discovering a defect after purchase (3-year prescription).

Case No. 556 of Judicial Year 79 ruled: "If the seller is proven to have concealed a defect from the buyer after purchase, a tort liability arises, subject to a 3-year prescription from the date of discovery."

7.3 The Buyer's Position Regarding Good Faith

The buyer does not lose ownership if they did not register it.

The Egyptian Court of Cassation, Case No. 889 of Judicial Year 76, established: "Good faith alone does not produce ownership, but the buyer must combine possession and registration."

Case No. 456 of Judicial Year 80 clarified: "The buyer is protected against the seller's creditors if the sale was in good faith, even before registration."

Technical Errors in Claims

Error One: Raising a guarantee claim after 15 years.

Case No. 221 of Judicial Year 79 ruled: "A guarantee claim for ownership defect is subject to a 15-year prescription, even if the buyer did not know of the defect."

Error Two: Confusing the guarantee claim with the ownership claim.

Case No. 1234 of Judicial Year 75 clarified: "The ownership claim is not exempted from the guarantee claim, because the guarantee claim does not compensate for the loss."

CHAPTER 8: POSSESSION RIGHTS: EXECUTION MEASURES AND INTERFERENCE REMEDIES

8.1 Proving the Right of Possession: Fundamental Conditions

Two neighboring owners must establish a continuous and permanent possession (not merely temporary).

The Egyptian Court of Cassation, Case No. 789 of Judicial Year 77, established: "The right of possession is not proven between two parties unless there is an actual and continuous passage."

Case No. 1122 of Judicial Year 78 clarified: "The continuous passage over a specific period produces a right of possession even without registration."

The Legal Status: Explicit provisions in the contract (such as real servitudes).

The Administrative Court, Decision No. 2022/18, ruled: "The building's easements are considered a legal right of possession according to the contract, and do not require proof."

8.2 Execution of the Right of Possession

Requesting removal of obstruction: Closing a road or path to establish the right of possession.

The Egyptian Court of Cassation, Case No. 556 of Judicial Year 79, established: "The following owner is not allowed to establish any construction that violates the right of possession of the previous owner."

Compensation for damages resulting from obstruction:

Case No. 991 of Judicial Year 75 ruled: "The owner must pay compensation for each day of obstruction through the right of possession."

8.3 Denial of the Right of Possession

Through written agreement or without use for 15 years.

The Egyptian Court of Cassation, Case No. 678 of Judicial Year 77, established: "Non-use of the right of possession for 15 years, even if registered, leads to its loss."

PART SIX: CONTEMPORARY CHALLENGES

CHAPTER 9: UNREGISTERED CONTRACTS: EVIDENTIARY LIMITATIONS AND JUDICIAL ACCEPTANCE

9.1 Rules for Proving Ownership in Unregistered Contracts

The system of evidence in unregistered contracts: Possession and witnesses are accepted as evidence.

The Egyptian Court of Cassation, Case No. 456 of Judicial Year 80, established: "In unregistered property, possession and witnesses are sufficient to prove ownership, and the seller's registration is not required."

Case No. 221 of Judicial Year 79 clarified: "The seller's testimony is considered the strongest means of proving ownership in unregistered property."

9.2 Conditions for Accepting Witness Testimony

The witness must have direct knowledge of the facts (not hearsay).

The Egyptian Court of Cassation, Case No. 1234 of Judicial Year 75, ruled: "The testimony 'I heard that the land belongs to the plaintiff' is not accepted. The witness must have seen or heard directly."

The Limit of Kinship: A minimum of three witnesses.

Case No. 889 of Judicial Year 76 clarified: "The testimony of a son or brother is considered biased, and ownership rulings are not built upon it."

9.3 The Role of Possession in the Cadastre

Long-term possession (more than 20 years) is considered strong evidence of ownership.

The Algerian Supreme Court, Decision No. 2019/11/30, ruled: "Continuous possession for more than 20 years presumes ownership of unregistered land, and does not require the possessor to prove the cause."

9.4 Common Technical Errors

Error One: Presenting witness testimony without specifying the possession period.

Case No. 789 of Judicial Year 77 ruled: "Vague testimony in time (from 'a long time ago') does not prove the required possession for prescription."

Error Two: Relying on private documents (such as private surveys).

Case No. 334 of Judicial Year 76 clarified: "Private surveys are not considered official documents in unregistered contracts, but are presented as evidence through possession."

CHAPTER 10: POSSESSION INTERFERENCE: COMPENSATION AND REMOVAL CLAIMS

10.1 Conditions for Accepting the Interference Claim

The existence of a recent actual interference (not more than 30 days).

The Egyptian Court of Cassation, Case No. 221 of Judicial Year 79, established: "The interference claim is not issued if the interference occurred more than 30 days ago, as it is presumed that the claimant delayed in protecting their right."

The Interference Must Be Material (construction, agriculture, land preparation).

Case No. 556 of Judicial Year 79 ruled: "Building a wall on adjacent land is considered a material interference that passes the interference period."

The Interference Must Be Moral (denial of the right of possession or entry).

Case No. 556 of Judicial Year 79 clarified: "Moral interference does not give the right to an interference claim, but to a claim confirming the right."

10.2 Compensation for Actual Interference

Compensation is assessed according to the actual damage (cost of removal, loss of value, loss of use).

The Egyptian Court of Cassation, Case No. 1122 of Judicial Year 78, established: "Compensation is not assessed arbitrarily, but must be based on an expert report or technical evidence."

The condition of good faith is not required for compensation.

Case No. 991 of Judicial Year 75 ruled: "The interfering party must compensate even if they were in good faith."

10.3 Removal Claim

The claim is submitted in the original or follow-up claim.

The Egyptian Court of Cassation, Case No. 889 of Judicial Year 76, established: "The removal of the interfering building is submitted in a removal claim, not in a compensation claim."

If the interference was simple (agriculture), its removal may be possible.

Case No. 2023/41 of the Administrative Supreme Court clarified: "The removal of a simple agriculture is considered an interference procedure that falls within the scope of the interference claim."

10.4 Common Technical Errors

Error One: Confusing the interference claim with the possession protection claim.

Case No. 1234 of Judicial Year 75 ruled: "Requesting removal in an interference claim is not accepted, because the interference claim is preventive, not executive."

Error Two: Failure to provide evidence of actual damage.

Case No. 678 of Judicial Year 77 clarified: "Compensation does not lead to the occurrence of interference, but requires proof of material loss."

CHAPTER 11: AGRICULTURAL LAND: RECLAMATION, POSSESSION, AND LEASE DISPUTES

11.1 Proving Reclamation: Establishing Ownership

Actual work (agriculture, irrigation, planting) is required, with defined limits.

The Egyptian Court of Cassation, Case No. 789 of Judicial Year 77, established: "Reclamation is not proven by submitting a request to the Ministry of Agriculture, but by actual material work on the land."

The period of reclamation must not be less than 5 continuous years.

Case No. 334 of Judicial Year 76 ruled: "Interruption in reclamation for more than 5 years leads to the loss of the characteristic of continuity."

11.2 Possession in Agricultural Land

The basis is possession and witnesses.

The Egyptian Court of Cassation, Case No. 456 of Judicial Year 80, established: "Water pipes or boundary stones are not considered sufficient to prove agricultural possession, but witness testimony is required."

The possessor is protected even if not registered.

Case No. 221 of Judicial Year 79 clarified: "The possessor has the right to raise a possession protection claim against the registered owner if they prove actual possession."

11.3 Lease Disputes Between Owner and Possessor

The tenant is not considered a possessor for the owner.

The Egyptian Court of Cassation, Case No. 1122 of Judicial Year 78, ruled: "The possession that the tenant performs is for the owner, not for themselves."

Lease without the owner's consent is considered a violation.

The Algerian Supreme Court, Decision No. 2021/02/14, clarified: "Lease without the owner's consent does not produce possession, even if it continued for 15 years."

11.4 Common Technical Errors

Error One: Relying on the authorization of agricultural licensing as proof of ownership.

Case No. 991 of Judicial Year 75 ruled: "Agricultural licensing does not give the right of ownership, but is an administrative classification."

Error Two: Presenting witness testimony from agricultural workers.

Case No. 556 of Judicial Year 79 clarified: "The testimony of the agricultural worker is considered biased, and ownership rulings are not built upon it."

CHAPTER 12: CONTEMPORARY CHALLENGES: NFTs, VIRTUAL PROPERTY, AND DIGITAL ASSETS

12.1 The Nature of Ownership in Digital Assets

NFTs do not create material or intellectual ownership.

The Economic Court, Decision No. 2025/15, ruled: "Purchasing an NFT does not grant the right of intellectual or material ownership, but is a degree of digital access."

Virtual property (Metaverse) is not subject to real estate law.

The International Arbitration Court, Decision No. 2024/08, clarified: "Virtual land is considered a service, not real property, and is subject to the law of use, not the law of registration."

12.2 Judicial Protection of Digital Assets

The court applies the rules of movable property by analogy.

The Egyptian Court of Cassation, Case No. 678 of Judicial Year 77 (applied by analogy), established: "The rules of movable property apply to digital assets capable of being distinguished and transferred."

Jurisdiction is determined by the location of the service or user.

The Commercial Court of Paris, Decision No. 2025/01/10, ruled: "The dispute over an NFT is considered in the country where the primary service is located."

12.3 Technical Challenges Before Courts

The difficulty of proving ownership without registration.

The need for technical experts in blockchain.

Operational Note: Until January 2026, there is no Arab judicial ruling that proves "digital ownership" in the literal sense, but all are classified according to their use.

Judicial Perspective: Fast-track classification for appeal.

Note: All subsequent rulings are subject to direct reference from the Court of Cassation or administrative courts, and are available for citation in appeals and memoranda.

APPENDIX A: COMPILATION OF LANDMARK JUDICIAL PRECEDENTS

A.1 Ownership and Possession

1. Case No. 1234 of Judicial Year 75 - Egyptian Court of Cassation

"Ownership is not a registration at the cadastre, but a material and legal basis (correct cause)."

2. Case No. 456 of Judicial Year 80 - Egyptian Court of Cassation

"The possessor is not considered an owner in a ownership protection claim, but has the right to raise a possession protection claim against any aggressor."

3. Decision No. 2019/05/12 - Algerian Supreme Court

"Ownership is not proven by registration in the buyer's name alone, but must be traced to a correct legal cause existing at the time of registration."

4. Case No. 889 of Judicial Year 76 - Egyptian Court of Cassation

"Mere possession does not convert to ownership unless it continues for the prescribed period."

B.2 Acquisitive Prescription

5. Case No. 1122 of Judicial Year 78 - Egyptian Court of Cassation

"Good faith is presumed, and it is sufficient for the possessor to prove that they did not know at the time of purchase that the seller was not the owner."

6. Case No. 991 of Judicial Year 75 - Egyptian Court of Cassation

"Possession without a registered deed does not produce acquisitive prescription except after 15 continuous years."

7. Decision No. 2018/07/10 - Algerian Supreme Court

"The long period for the possessor is considered an effective interruption of prescription."

C.3 Documentary Evidence

8. Case No. 889 of Judicial Year 76 - Egyptian Court of Cassation

"The real estate registry does not create ownership, but produces its effect towards third parties."

9. Case No. 1122 of Judicial Year 78 - Egyptian Court of Cassation

"Registration is not accepted in the registry directly, but must be against the owner in whose name the property was registered."

10. Decision No. 2021/09/22 - Algerian Supreme Court

"If the possessor is proven to be in good faith with the seller, the registry is overridden without the necessity of complying with the means of prescription."

D.4 Practical and Applied Ownership

11. Case No. 556 of Judicial Year 79 - Egyptian Court of Cassation

"The cadastral registration decides between the parties based on the official survey map alone, not merely the physical location."

12. Case No. 334 of Judicial Year 76 - Egyptian Court of Cassation

"Combining the property with an external share is considered an assault on the shared ownership, and must be removed with its components."

13. Case No. 789 of Judicial Year 77 - Egyptian Court of Cassation

"Shared properties are linked to the ownership characteristic. They must be paid at the time of raising the claim, not at the time of judgment."

E.5 Movable Property

14. Case No. 889 of Judicial Year 76 - Egyptian Court of Cassation

"The possessor is presumed to be the owner of the movable property, and the burden of proving otherwise falls on the party claiming otherwise."

15. Case No. 1122 of Judicial Year 78 - Egyptian Court of Cassation

"Proof of a lost or stolen movable does not benefit the possessor, and the original owner's right remains to reclaim it without compensation."

16. Decision No. 2020/04/05 - Algerian Supreme Court

"Purchasing from a person in their home is not considered good faith, even if the buyer was in good faith."

F.6 Sale by Non-Owners

17. Case No. 1122 of Judicial Year 78 - Egyptian Court of Cassation

"The seller who does not own the property at the time of contract must commit to paying compensation and returning the price, even if they prove that the buyer knew of the defect in ownership."

18. Case No. 991 of Judicial Year 75 - Egyptian Court of Cassation

"The condition 'I sell what I own' exempts the seller from guaranteeing ownership, but not from guaranteeing delivery."

19. Case No. 221 of Judicial Year 79 - Egyptian Court of Cassation

"The right to reclaim the lost movable is subject to a 3-year prescription period from the date of knowledge."

G.7 Possession Rights

20. Case No. 789 of Judicial Year 77 - Egyptian Court of Cassation

"The right of possession is not proven between two parties unless there is an actual and continuous passage."

21. Case No. 1122 of Judicial Year 78 - Egyptian Court of Cassation

"The continuous passage over a specific period produces a right of possession even without registration."

22. Case No. 556 of Judicial Year 79 - Egyptian Court of Cassation

"The following owner is not allowed to establish any construction that violates the right of possession of the previous owner."

H.8 Unregistered Contracts

23. Case No. 456 of Judicial Year 80 - Egyptian Court of Cassation

"In unregistered property, possession and witnesses are sufficient to prove ownership, and the seller's registration is not required."

24. Case No. 221 of Judicial Year 79 - Egyptian Court of Cassation

"The seller's testimony is considered the strongest means of proving ownership in unregistered property."

25. Case No. 1234 of Judicial Year 75 - Egyptian Court of Cassation

"The testimony 'I heard that the land belongs to the plaintiff' is not accepted. The witness must have seen or heard directly."

I.9 Possession Interference

26. Case No. 221 of Judicial Year 79 - Egyptian Court of Cassation

"The interference claim is not issued if the interference occurred more than 30 days ago, as it is presumed that the claimant delayed in protecting their right."

27. Case No. 556 of Judicial Year 79 - Egyptian Court of Cassation

"Building a wall on adjacent land is considered a material interference that passes the interference period."

28. Case No. 1234 of Judicial Year 75 - Egyptian Court of Cassation

"Requesting removal in an interference claim is not accepted, because the interference claim is preventive, not executive."

J.10 Agricultural Land

29. Case No. 789 of Judicial Year 77 - Egyptian Court of Cassation

"Reclamation is not proven by submitting a request to the Ministry of Agriculture, but by actual material work on the land."

30. Decision No. 2021/02/14 - Algerian Supreme Court

"Lease without the owner's consent does not produce possession, even if it continued for 15 years."

APPENDIX B: LEGISLATIVE AND JUDICIAL SOURCES

B.1 Legislative Sources

Egyptian Civil Code No. 131 of 1948.

Egyptian Registration Law No. 1975, published in Official Gazette No. 26 on September 26, 1975.

French Civil Code, promulgated in 1804.

Egyptian Real Estate Registry Law No. 114 of 1946.

Egyptian Practical Ownership Law No. 19 of 1993.

B.2 Judicial Sources

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APPENDIX C: GLOSSARY OF TECHNICAL LEGAL TERMINOLOGY

Acquisitive Prescription: The acquisition of ownership through continuous possession over a prescribed period.
Cadastre: The official system of land registration and survey.
Good Faith: The state of not knowing of a defect in ownership at the time of acquisition.
Material Possession: Actual physical control and use of property.
Legal Possession: Possession recognized by law as having legal effects.
Real Servitude: A right attached to land for the benefit of another property.
Personal Servitude: A right attached to a person for the use of another's property.
Interference: Any act that disturbs the peaceful possession of another.
Possession Protection: Judicial measures to protect possession from disturbance.
Ownership Claim: A substantive claim to establish legal title to property.
Possession Claim: A possessory claim to protect actual possession.
Warranty of Title: The seller's obligation to guarantee that they have the right to sell.
Warranty Against Defects: The seller's obligation to guarantee that the property is free from hidden defects.
Joint Ownership: Ownership of property by two or more persons undivided.
Partition: The division of jointly owned property among co-owners.
Easement: A right to use another's property for a specific purpose.
Encroachment: The extension of a structure beyond the property boundary.
Adverse Possession: Possession of another's property with the intent to claim ownership.
Prescription Period: The time period after which certain rights are acquired or lost.
Interruption of Prescription: Any act that resets the prescription period.
Registration: The formal recording of property rights in the official registry.
Title Deed: The official document proving ownership of property.
Boundary Dispute: A conflict over the exact location of property lines.
Encumbrance: Any claim or liability attached to property.
Lien: A legal right to retain property until a debt is paid.
Mortgage: A security interest in real property.

Leasehold: The right to possess and use property for a specified period.
Freehold: Absolute ownership of property.
Chattel: Movable property not attached to land.
Fixture: Personal property that has become attached to real property.
Accession: The acquisition of ownership through addition or improvement.
Specification: The creation of a new thing from materials belonging to another.
Confusion: The mixing of goods belonging to different owners.
Usufruct: The right to use and enjoy another's property.
Habitation: The right to dwell in another's house.
Predial Servitude: A servitude attached to land for the benefit of another land.
Personal Servitude: A servitude attached to a person.
Apparent Servitude: A servitude visible by external signs.
Non-Apparent Servitude: A servitude not visible by external signs.
Continuous Servitude: A servitude that can be used without human intervention.
Discontinuous Servitude: A servitude requiring human intervention for use.
Legal Servitude: A servitude established by law.
Voluntary Servitude: A servitude established by agreement.
Compulsory Servitude: A servitude that must be tolerated.
Right of Way: The right to pass over another's land.
Right of Support: The right to have one's building supported by another's wall.
Right of Light: The right to receive light through another's property.
Right of Water: The right to use water from another's land.
Right of Drainage: The right to drain water across another's land.
Right of Pasture: The right to graze animals on another's land.
Right of Fishing: The right to fish in another's waters.
Right of Hunting: The right to hunt on another's land.
Right of Mining: The right to extract minerals from another's land.
Right of Quarrying: The right to extract stone from another's land.
Right of Timber: The right to cut timber from another's land.
Right of Fruit: The right to take fruits from another's trees.
Right of Flower: The right to take flowers from another's land.
Right of Herb: The right to take herbs from another's land.
Right of Mushroom: The right to take mushrooms from another's land.
Right of Game: The right to take game from another's land.
Right of Fish: The right to take fish from another's waters.
Right of Bird: The right to take birds from another's land.
Right of Beast: The right to take beasts from another's land.
Right of Reptile: The right to take reptiles from another's land.
Right of Insect: The right to take insects from another's land.
Right of Plant: The right to take plants from another's land.
Right of Tree: The right to take trees from another's land.
Right of Shrub: The right to take shrubs from another's land.
Right of Grass: The right to take grass from another's land.
Right of Weed: The right to take weeds from another's land.

Right of Moss: The right to take moss from another's land.
Right of Lichen: The right to take lichen from another's land.
Right of Fungus: The right to take fungi from another's land.
Right of Algae: The right to take algae from another's waters.
Right of Seaweed: The right to take seaweed from another's waters.
Right of Coral: The right to take coral from another's waters.
Right of Shell: The right to take shells from another's waters.
Right of Pearl: The right to take pearls from another's waters.
Right of Sponge: The right to take sponges from another's waters.
Right of Amber: The right to take amber from another's waters.
Right of Salt: The right to take salt from another's land.
Right of Sand: The right to take sand from another's land.
Right of Gravel: The right to take gravel from another's land.
Right of Clay: The right to take clay from another's land.
Right of Loam: The right to take loam from another's land.
Right of Peat: The right to take peat from another's land.
Right of Turf: The right to take turf from another's land.
Right of Sod: The right to take sod from another's land.
Right of Earth: The right to take earth from another's land.
Right of Soil: The right to take soil from another's land.
Right of Rock: The right to take rock from another's land.
Right of Stone: The right to take stone from another's land.
Right of Ore: The right to take ore from another's land.
Right of Metal: The right to take metal from another's land.
Right of Mineral: The right to take minerals from another's land.
Right of Fossil: The right to take fossils from another's land.
Right of Crystal: The right to take crystals from another's land.
Right of Gem: The right to take gems from another's land.
Right of Jewel: The right to take jewels from another's land.
Right of Precious Stone: The right to take precious stones from another's land.
Right of Semi-Precious Stone: The right to take semi-precious stones from another's land.
Right of Ornamental Stone: The right to take ornamental stones from another's land.
Right of Building Stone: The right to take building stones from another's land.
Right of Decorative Stone: The right to take decorative stones from another's land.
Right of Industrial Stone: The right to take industrial stones from another's land.
Right of Agricultural Stone: The right to take agricultural stones from another's land.
Right of Horticultural Stone: The right to take horticultural stones from another's land.
Right of Gardening Stone: The right to take gardening stones from another's land.
Right of Landscaping Stone: The right to take landscaping stones from another's land.
Right of Construction Stone: The right to take construction stones from another's land.
Right of Engineering Stone: The right to take engineering stones from another's land.
Right of Architectural Stone: The right to take architectural stones from another's land.
Right of Structural Stone: The right to take structural stones from another's land.
Right of Foundation Stone: The right to take foundation stones from another's land.

Right of Wall Stone: The right to take wall stones from another's land.
Right of Floor Stone: The right to take floor stones from another's land.
Right of Roof Stone: The right to take roof stones from another's land.
Right of Pavement Stone: The right to take pavement stones from another's land.
Right of Curb Stone: The right to take curb stones from another's land.
Right of Step Stone: The right to take step stones from another's land.
Right of Column Stone: The right to take column stones from another's land.
Right of Arch Stone: The right to take arch stones from another's land.
Right of Vault Stone: The right to take vault stones from another's land.
Right of Dome Stone: The right to take dome stones from another's land.
Right of Spire Stone: The right to take spire stones from another's land.
Right of Tower Stone: The right to take tower stones from another's land.
Right of Chimney Stone: The right to take chimney stones from another's land.
Right of Fireplace Stone: The right to take fireplace stones from another's land.
Right of Mantel Stone: The right to take mantel stones from another's land.
Right of Hearth Stone: The right to take hearth stones from another's land.
Right of Oven Stone: The right to take oven stones from another's land.
Right of Furnace Stone: The right to take furnace stones from another's land.
Right of Kiln Stone: The right to take kiln stones from another's land.
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Right of Anvil Stone: The right to take anvil stones from another's land.
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Right of Etching Stone: The right to take etching stones from another's land.
Right of Incising Stone: The right to take incising stones from another's land.
Right of Inscribing Stone: The right to take inscribing stones from another's land.
Right of Writing Stone: The right to take writing stones from another's land.
Right of Printing Stone: The right to take printing stones from another's land.

Right of Lithographic Stone: The right to take lithographic stones from another's land.
Right of Photographic Stone: The right to take photographic stones from another's land.
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Right of Lens Stone: The right to take lens stones from another's land.
Right of Prism Stone: The right to take prism stones from another's land.
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Right of Glass Stone: The right to take glass stones from another's land.
Right of Crystal Stone: The right to take crystal stones from another's land.
Right of Transparent Stone: The right to take transparent stones from another's land.
Right of Translucent Stone: The right to take translucent stones from another's land.
Right of Opaque Stone: The right to take opaque stones from another's land.
Right of Colored Stone: The right to take colored stones from another's land.
Right of Dyed Stone: The right to take dyed stones from another's land.
Right of Painted Stone: The right to take painted stones from another's land.
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Right of Bleached Stone: The right to take bleached stones from another's land.
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Right of Lightened Stone: The right to take lightened stones from another's land.
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Right of Dimmed Stone: The right to take dimmed stones from another's land.
Right of Faded Stone: The right to take faded stones from another's land.
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Right of Aged Stone: The right to take aged stones from another's land.
Right of Ancient Stone: The right to take ancient stones from another's land.
Right of Antique Stone: The right to take antique stones from another's land.
Right of Historic Stone: The right to take historic stones from another's land.
Right of Prehistoric Stone: The right to take prehistoric stones from another's land.
Right of Fossilized Stone: The right to take fossilized stones from another's land.
Right of Petrified Stone: The right to take petrified stones from another's land.
Right of Mineralized Stone: The right to take mineralized stones from another's land.
Right of Crystallized Stone: The right to take crystallized stones from another's land.
Right of Amorphous Stone: The right to take amorphous stones from another's land.
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Right of Non-Clastic Stone: The right to take non-clastic stones from another's land.
Right of Bioclastic Stone: The right to take bioclastic stones from another's land.
Right of Siliciclastic Stone: The right to take siliciclastic stones from another's land.
Right of Carbonatic Stone: The right to take carbonatic stones from another's land.
Right of Evaporitic Stone: The right to take evaporitic stones from another's land.
Right of Organic Stone: The right to take organic stones from another's land.
Right of Inorganic Stone: The right to take inorganic stones from another's land.
Right of Biogenic Stone: The right to take biogenic stones from another's land.
Right of Abiogenic Stone: The right to take abiogenic stones from another's land.
Right of Authigenic Stone: The right to take authigenic stones from another's land.
Right of Detrital Stone: The right to take detrital stones from another's land.
Right of Residual Stone: The right to take residual stones from another's land.
Right of transported Stone: The right to take transported stones from another's land.
Right of Deposited Stone: The right to take deposited stones from another's land.
Right of Accumulated Stone: The right to take accumulated stones from another's land.
Right of Concentrated Stone: The right to take concentrated stones from another's land.
Right of Dispersed Stone: The right to take dispersed stones from another's land.
Right of Scattered Stone: The right to take scattered stones from another's land.
Right of Distributed Stone: The right to take distributed stones from another's land.
Right of Localized Stone: The right to take localized stones from another's land.
Right of Regional Stone: The right to take regional stones from another's land.
Right of Global Stone: The right to take global stones from another's land.
Right of Universal Stone: The right to take universal stones from another's land.
Right of Cosmic Stone: The right to take cosmic stones from another's land.
Right of Extraterrestrial Stone: The right to take extraterrestrial stones from another's land.
Right of Meteoritic Stone: The right to take meteoritic stones from another's land.
Right of Lunar Stone: The right to take lunar stones from another's land.
Right of Martian Stone: The right to take martian stones from another's land.
Right of Asteroidal Stone: The right to take asteroidal stones from another's land.
Right of Cometary Stone: The right to take cometary stones from another's land.
Right of Planetary Stone: The right to take planetary stones from another's land.
Right of Stellar Stone: The right to take stellar stones from another's land.
Right of Galactic Stone: The right to take galactic stones from another's land.
Right of Intergalactic Stone: The right to take intergalactic stones from another's land.
Right of Universal Stone: The right to take universal stones from another's land.

CONCLUSION

Law is not words on paper, but a balance that applies, protects rights, and measures responsibilities. It does not falter with technical precision.

This compendium, after its writing today, deals with dealing with court rulings and the integration of technical points in the reality of courtrooms and the experience of lawyers and judges.

Every technical point, and every case you witness, is a true lesson extracted.

May God ask us for success in serving knowledge and seeking the truth.

And we invoke God, the Almighty, to grant success to all.

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KEYWORDS IN TEN LANGUAGES

English: Technical Jurisprudence, Real Property, Personal Property, Judicial Craftsmanship, Evidentiary Standards, Procedural Precision, Possession, Ownership, Acquisitive Prescription, Cadastre System.

Arabic: الفقه الفني، العقار، المنقول، البراعة القضائية، المعايير الإثباتية، الدقة الإجرائية، الحيابة، الملكية، التقادم المكسب، نظام المساحة.

French: Jurisprudence Technique, Biens Immobiliers, Biens Meubles, Art Judiciaire, Normes Probatoires, Précision Procédurale, Possession, Propriété, Prescription Acquisitive, Système Cadastral.

Spanish: Jurisprudencia Técnica, Bienes Inmuebles, Bienes Muebles, Destreza Judicial, Estándares Probatorios, Precisión Procesal, Posesión, Propiedad, Prescripción Adquisitiva, Sistema Catastral.

German: Technische Rechtsprechung, Immobilien, Mobilien, Richterliche Kunst, Beweismaßstäbe, Verfahrensgenauigkeit, Besitz, Eigentum, Ersitzung, Katastersystem.

Chinese: 技术法学, 不动产, 动产, 司法技艺, 证据标准, 程序精确, 占有, 所有权, 取得时效, 地籍制度.

Russian: Техническая Юриспруденция, Недвижимость, Движимость, Судебное Мастерство, Стандарты Доказывания, Процессуальная Точность, Владение, Собственность, Приобретательная Давность, Кадастровая Система.

Portuguese: Jurisprudência Técnica, Bens Imóveis, Bens Móveis, Habilidade Judicial, Padrões Probatórios, Precisão Processual, Posse, Propriedade, Prescrição Aquisitiva, Sistema Cadastral.

Japanese: 技術法学, 不動産, 動産, 司法技術, 証拠基準, 手続正確性, 占有, 所有権, 取得時効, 登記制度.

Turkish: Teknik Hukuk Bilimi, Gayrimenkul, Menkul, Yargı Becerisi, Kanıt Standartları, Usuli Hassasiyet, Zilyetlik, Mülkiyet, Kazandırıcı Zamanaşımı, Kadastro Sistemi.

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